

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: David Lyons

Cr.: 06-00347-001

Name of Sentencing Judicial Officer: Honorable Dennis M. Cavanaugh

Date of Original Sentence: 08/10/06

Original Offense: Conspiracy to Distribute Cocaine

Original Sentence: time served; 4 years supervised release; \$100 special assessment. Special conditions - drug testing/treatment and cooperation in the collection of DNA

Type of Supervision: Supervised Release

Date Supervision Commenced: 08/10/06

Assistant U.S. Attorney: John Gay

Defense Attorney: Paulette Pitt, Esq.(assigned)

PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1 The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On April 19, 2007, Lyons was arrested by the Newark, New Jersey Police Department and charged with count one, possession of a controlled dangerous substance; count two, manufacture/ distribute/ dispense a controlled dangerous substance; and count three, possession of a controlled dangerous substance with intent to distribute in a school zone. He was released on bail and the case is pending disposition within New Jersey Superior Court, Essex County.

2 The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On June 22, 2007, Lyons was arrested by the East Orange, New Jersey Police Department and charged with counts one through four, manufacture/ distribute/ dispense a controlled dangerous substance; count five, possession of a controlled dangerous substance with intent to distribute within 500 feet of a public building; and count six, possession of a controlled dangerous substance with intent to distribute. Once again, the offender was released on bail and the case is also pending disposition within New Jersey Superior Court, Essex County.

- 3 The offender has violated the supervision condition which states '**You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

Lyons failed to notify the undersigned Probation Officer about the arrests detailed in Violation #1 and Violation #2 within the allotted time period.

- 4 The offender has violated the supervision condition which states '**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'

Lyons failed to submit a monthly written report for April 2007, May 2007, and June 2007 within the allotted time period.



- 5 The offender has violated the supervision condition which states '**You shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.**'

Despite numerous referrals, since the commencement of supervision in August 2006, Lyons has failed to secure gainful employment or enroll in vocational training / schooling.

- 6 The offender has violated the supervision condition which states '**As a condition of supervision, you are instructed to pay a \$100 special assessment; it shall be paid immediately.**'

Despite numerous reminders, Lyons has not made a payment since August 2006 - his date of sentence. The outstanding balance is \$50.

I declare under penalty of perjury that the foregoing is true and correct.

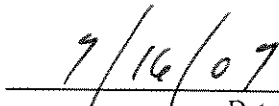
By: Joseph Empirio 
U.S. Probation Officer
Date: 07/13/07 

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other



Signature of Judicial Officer


Date